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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,101	01/06/2004	Xiaodong Jin	MP0331	2774
26200	7590	04/24/2006	EXAMINER	
FISH & RICHARDSON P.C.			EKONG, EMEM	
P.O BOX 1022			ART UNIT	
MINNEAPOLIS, MN 55440-1022			PAPER NUMBER	

2617

DATE MAILED: 04/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/753,101	JIN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	EMEM EKONG	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-14 and 24-37 is/are allowed.
- 6) ☒ Claim(s) 15-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's amendment to the abstract was accepted.
2. Applicant's arguments with respect to claims 15-23 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 15 is rejected under 35 U.S.C. 102(e) as being anticipated by U. S. Publication No. 2002/0077074 A1 to Piazza.

Regarding claim 15, Piazza discloses a method for biasing a circuit to be powered down, the method comprising: switching a bias output from a bias circuit coupled to a first circuit to a second circuit (par. 25);

and maintaining the bias circuit at an operating state while the first circuit is powered down (pars. 6, 10 and 23-31).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Piazza in view of U.S. Patent No. 7,016,654 B1 to Bugeja.

**Regarding claims 16-18** Piazza the method of claim 15, and powering down the first circuit including reducing power consumption of the first circuit (par.8), and shutting off current flowing through the first circuit (par. 24).

However, Piazza fails to disclose wherein the first circuit is an LNA.

Bugeja discloses wherein the first circuit is an LNA (see figure 1A).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Piazza with the teaching of Bugeja for the purpose of controlling the transmission power of the transceiver.

**Regarding claims 19-23**, the combination of Piazza and Bugeja discloses the method of claim 15 wherein the second circuit is operational only when the first circuit is powered down, and a bias output including a bias current voltage, switching a bias output includes switching a bias current and voltage from the first circuit to the second circuit; and wherein maintaining the bias circuit at the operating state includes maintaining a lead to the bias circuit at a predetermined voltage level (Piazza, pars. 23-31).

However, Piazza fails to disclose a bias output including a bias current.

Bugeja discloses a bias output including a bias current (col. 3 lines 20-22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Piazza with the teaching of Bugeja for the purpose of controlling the transmission power of the transceiver.

***Allowable Subject Matter***

9. Claims 1-14, and 24-37 are allowed.

10. The following is an examiner's statement of reasons for allowance:

Consider claims 1, and 24, the best prior art found during the examination of the present application, Bugeja fails to disclose a switch circuit configured to switch the bias output from the LNA to the circuit when the LNA is powered down from the first mode to the power down mode.

Bugeja disclose a wireless transceiver, comprising: an amplifier configured to receive an input RF signal, the amplifier including a biasing system; the biasing system including a low noise amplifier (LNA) to amplify the input RF signal; (see figure 1A and col. 3 lines 22-24)

a bias circuit configured to provide a bias output to the LNA during a time the LNA is operating in a first mode (col. 3 lines 20-21) .

Bugeja fails to disclose a circuit configured to maintain the bias circuit in an operating state during a time the LNA is operating in a power down mode.

Piazza discloses a circuit configured to maintain the bias circuit in an operating state during a time the LNA is operating in a power down mode (par. 6, 10, and 25-31).

However, Piazza fails to disclose a switch circuit configured to switch the bias output from the main circuit to the circuit when the main circuit is powered down from the first mode to the power down mode.

Therefore, this limitation, in conjunction with the other limitations recited in claims 1 and 24 are novel and unobvious in view of Bugeja and in view of Piazza, and the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMEM EKONG whose telephone number is 571 272 8129. The examiner can normally be reached on 8-5 Mon-Fri..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571 272 7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

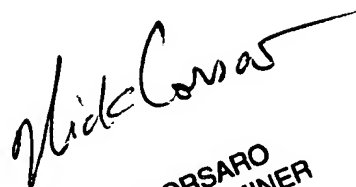
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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EOE  
4/19/06

  
NICK CORSARO  
PRIMARY EXAMINER